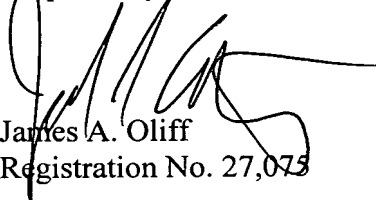


REMARKS

Claims 1 - 5 are pending. By this Preliminary Amendment, claim 3 is amended to remove multiple dependencies. Claim 5 is added to compensate for the material deleted from claim 3. Prompt and favorable examination on the merits is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. 1.121(c)(1)(ii)).

Respectfully submitted,



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JAO:JSA/cln

Attachment: Appendix

Date: July 5, 2001

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>

APPENDIX

Changes to Claims:

Claim 5 is added.

The following is a marked-up version of the amended claim:

3. (Amended) An optical positional deviation detecting apparatus according to claim 1 ~~or~~ 2, wherein said image field area adjustment mechanism adjusts the image field area on the basis of an asymmetric focus characteristic curve of the L/S mark pattern image obtained when forming the image of the L/S mark pattern within the image field area of said imaging device.

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